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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

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7 J&J SPORTS PRODUCTIONS, INC.,

Case No. 2:18-CV-745 JCM (VCF)

8 Plaintiff(s),

ORCDER

9 v.

10 CHIKISS BOTANAS N' BEER, LLC., et al.,

11 Defendant(s).

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13 Presently before the court is the matter of *J & J Sports Productions, Inc. v. Chikiss*  
14 *Botanas N' Beer L.L.C. et al.*, case number 2:18-cv-00745-JCM-VCF.

15 Federal Rule of Civil Procedure 4(m) provides as follows:

16 If a defendant is not served within 90 days after the complaint is  
17 filed, the court—on motion or on its own after notice to the  
18 plaintiff—must dismiss the action without prejudice against that  
19 defendant or order that service be made within a specified time.  
20 But if the plaintiff shows good cause for the failure, the court must  
21 extend the time for service for an appropriate period. This  
22 subdivision (m) does not apply to service in a foreign country  
23 under Rule 4(f), 4(h)(2), or 4(j)(1), or to service of a notice under  
24 Rule 71.1(d)(3)(A).

25 Fed. R. Civ. P. 4(m).

26 More than 90 days have elapsed since the instant action was filed. To date, J & J Sports  
27 Productions, Inc. ("J & J") has not served Antonio Uribe Martinez. On February 24, 2020, the  
28 court gave J & J notice of its intent to dismiss its claims against Martinez pursuant to Fed. R.  
Civ. P. 4(m). J & J has not responded, served Martinez, or otherwise appeared.

Therefore, the court dismisses Martinez.

1 On July 31, 2019, J & J moved for entry of clerk's default against Chikiss Botanas N'  
2 Beer, LLC, which was entered the next day. (ECF Nos. 7; 9). But J & J has not moved for  
3 default judgment.

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that J & J's claims against  
6 Antonio Uribe Martinez be, and the same hereby are, DISMISSED.

7 IT IS FURTHER ORDERED that J & J shall file, within 7 days of this order, a motion  
8 for default judgment or other appropriate motion against Chikiss Botanas N' Beer, LLC.

9 DATED April 10, 2020.

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12 UNITED STATES DISTRICT JUDGE  
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